IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 22919 of 2004

Between:

1 J.K. Kumar, S/o. Brahmachary, Hindu,
Working in A.P.S.R.T.C. Miyapur Bus Depot, Hyderabad.
2 B. Babu, S/o. Sithaiah, Hindu,
Working in A.P.S.R.T.C. Miyapur Bus Depot, Hyderabad.
3 M. Srinu, S/o. Muthaiah, Hindu,
Working in A.P.S.R.T.C. Miyapur Bus Depot, Hyderabad.
4 G. Nageswara Rao, S/o. Lingaiah,
Working in A.P.S.R.T.C. Miyapur Bus Depot, Hyderabad.
5 Md Taher Pasha, S/o. Md. Yokob,
A.P.S.R.T.C. Ibrahimpatnam Bus Depot, Hyderabad.

..... PETITIONERS

AND

1 The Regional Manager, APSRTC, Ibrahimpatnam Bus Depot, Hyderabad.
2 The Depot Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents in not taking back / transferring the petitioners to Khammam Region is bad, arbitrary, unjust and unreasonable and contrary to the seniority and consequently direct the respondent No. 1 herein to get back the petitioners to Khammam Region by transferring them from Hyderabad City by relieving them from Hyderabad City Region and pass such other order or orders

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: SMT.P.RAJANI REDDY

The Court, at the admission stage, made the following :

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 22919 of 2004

ORDER:

This is a writ petition filed for issuing writ of mandamus to declare the action of the respondents in not transferring the petitioners to Khammam Region, as illegal and arbitrary.

2. Heard the learned counsel for the petitioners and the learned standing counsel for the respondent-Corporation.

3 . The learned counsel for the petitioners contended that the 1st respondent-Regional Manager, AP State Road Transport Corporation, Khammam Region, transferred the petitioners without following the seniority basis and therefore, it is for the 1st respondent to take appropriate decision for taking back the petitioners to Khammam Region, depending upon the vacancies available in Khammam region.

4. In the light of the submissions made by the learned counsel for the petitioners, without going into the merits of the case, I feel it necessary to dispose of the writ petition with a direction.

5 . Accordingly, the writ petition is disposed of, directing the 1st respondent-Regional Manager, AP State Road Transport Corporation, Khammam Region, to take appropriate decision in taking back the petitioners to Khammam Region, in accordance with the service conditions, rules and regulations of the respondent-Corporation. No costs.

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March 16, 2005

Kvr

To

1 The Regional Manager, APSRTC, Ibrahimpatnam Bus Depot, Hyderabad.
2 The Depot Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.

3 Two C.D Copies.